

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

CAYVEST GLOBAL MANDATE INC.  
f/k/a CAYVEST US EQUITY, INC.

Plaintiff,

v.

LEWIS ASSET MANAGEMENT CORP.,  
LAM OPPORTUNITY FUND, LTD, W.  
AUSTIN LEWIS, IV, ANDREW J. KUNAR,  
AND CHRISTOPHER WETHERHILL.

Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 9/12/10

10 CV 0695 (RMB)

**CASE MANAGEMENT PLAN**

The following Case Management Plan is entered after consultation with the parties. This Plan is also a Rule 16 and Rule 26(f) scheduling order as required by the Federal Rules of Civil Procedure.

- i. Joinder of additional parties by May 12, 2010
- ii. Amend the pleadings by June 11, 2010
- iii. All discovery to be expeditiously completed by November 12, 2010
- iv. Consent to Proceed before Magistrate Judge

Plaintiff does not consent to proceed to trial before Magistrate Judge and instead requests a jury trial.

- v. Status of Settlement Discussions  
with principle on 9/14/10 @ 9:00 A.M.

Plaintiff has received multiple communications from defendants regarding their inclination to settle the dispute and/or appoint an independent liquidator both before and after suit was filed. However, Defendants W. Austin Lewis IV, Lewis Asset Management Corp. and LAM Opportunity Fund, Ltd. then filed a request for a motion to dismiss.

Sections vi – xi will be set at conference with the Court.

- vi. Motions

vii. Oral Argument

viii. Joint Pre-Trial Order to be submitted by

ix. Final Pre-Trial Conference

x. Trial

xi. Other

Discovery issues referred to Magistrate  
Judge

SO ORDERED: New York, New York

4/12/10

RMB

Hon. Richard M. Berman, U.S.D.J.